

Award No. 49  
Case No. 62  
System Docket No. CR-1400-D

SPECIAL BOARD OF ADJUSTMENT NO. 976  
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES

VS.

CONSOLIDATED RAIL CORPORATION


STATEMENT OF CLAIM:

Appeal of dismissal assessed Canton Shop employee S. Murphy on January 22, 1985, in connection with being charged with violation of General Rule "L", paragraph 2, when on December 11, 1984 he did deliberately damage to Company property by spray painting the control panels, including gauges and control switches for a torsion beam.

Upon the whole record and all the evidence, after hearing, the Board finds that the parties herein are carrier and employee within the meaning of the Railway Labor Act, as amended, and this Board is duly constituted by agreement under Public Law 89-456 and has jurisdiction of the parties and subject matter.

AWARD: Claim disposed of as follows:

Denied.

  
C. A. Peacock, Neutral Member

  
F. J. Domzalski, Carrier Member

  
Ted Dodd, Organization Member

Issued this 7th day of August, 1986